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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDANT COUNTRIES AND TERRITORIES

Note verbale dated 29 December 1992 from the Permanent Representative of the Republic of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights

The Permanent Mission of the Republic of Iraq to the United Nations Office at Geneva presents its compliments to the Centre for Human Rights and has the honour to kindly ask the Centre to circulate the letter enclosed herewith sent by the Permanent Representative of Iraq in New York to the Secretary-General of the United Nations concerning the contradictions in the claims made by the Kuwaiti authorities on the issue of missing Kuwaitis, as an official document of the next session of the Commission on Human Rights.

GE.93-10280 (E)

On 15 December 1992, the French News Agency reported information from inside Kuwait exposing the allegations propagated by the Kuwaiti regime concerning the issue of missing Kuwaitis.

The information came in a report issued by a committee set up by the "Kuwaiti National Assembly" on this issue. The report admits that "the credibility of the Government of Kuwait is dwindling as it has become clear that some of those listed as missing are turning out to have been detained in Kuwaiti prisons or killed in action during the Gulf War". The report also states that "the attitude of the Kuwaiti authorities has been fraught with confusion and inconsistency while trying to exploit the issue of the missing for political ends; a fact which has eroded the credibility of this issue before all international bodies on both governmental and non-governmental levels".

The report, which calls for respect to human rights in Kuwait, discloses that boys under sixteen years of age are being detained inside the building of the Talha School in the Farwaniya district, which is one of the deportation centres administered by the Ministry of Interior.

This information, in view of the fact that it has been published by an important organ of the present regime in Kuwait, offers further proof that the so-called issue of missing Kuwaitis is meant to be a means of political blackmail aimed at perpetuating the iniquitous blockade imposed upon Iraq.

Perhaps the most eloquent proof to be cited about the contradictions in the claims made by the Kuwaiti authorities is to do with numbers of missing persons given by those authorities to Iraq through the International Committee of the Red Cross (ICRC). Between April 1991 and March 1992, the Kuwaiti authorities submitted seven lists, each submitting a different number of missing persons, and as follows:

- The first list, submitted in April 1991, contained the names of 11,431 persons.

- The second list, submitted in May 1991, contained the names of 5,433 persons.

- The third list, submitted in June 1991, contained the names of 4,290 persons.

- The fourth list, submitted in September 1991, contained the names of 2,479 persons.

- The fifth list, submitted in October 1991, contained the names of 2,443 persons.

- The sixth list, submitted in March 1991, contained the names of 2,201 persons.

- The seventh list, submitted in March 1991, contained the names of 850 persons.

It is also evident now that the last list is no different from the previous ones, a fact further substantiated by the information released in the "Kuwaiti National Assembly" report.

Iraq, as Your Excellency would know, has on many occasions and at various fora, including the United Nations, the ICRC, the Non-aligned Movement, the League of Arab States as well as the Security Council, made clear its readiness to cooperate in the search for, and verification of, missing persons, having completed the return, through the ICRC, of all Kuwaiti and third-country persons on its territory.

Exposure of the dubious political ends behind the claims of the Kuwaiti rulers and of the inconsistent and haphazard nature of their seven lists will be most helpful in revealing the true facts and paving the way for section G of Security Council resolution 687 (1991) to be closed, particularly now that information to this effect is coming out of Kuwait itself.

I should be grateful if you would have the present letter circulated as a document to the members of the Security Council.

(Signed): Nizar Hamdoon